

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

HALIOTIS INVESTMENTS S.A.	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 1:06-cv-00679-***
	)	
ARCH HILL N.V., LITHIUM TECHNOLOGY	)	
CORP., HENDRIKUS HAROLD van ANDEL	)	
	)	
Defendants.	)	

**STIPULATION AND ORDER**

WHEREAS, defendant Hendrikus Harold van Andel unexpectedly passed away on April 18, 2007;

WHEREAS, the parties to this action stipulated, and this Court ordered on July 18, 2007, that Plaintiff shall have until Wednesday, September 5, 2007 to file a motion to substitute the proper party for the late Mr. van Andel as it was unsettled under which country's law Mr. van Andel's estate would be administered;

WHEREAS, it remains unsettled under which country's law Mr. van Andel's estate will be administered, and the parties have agreed that Plaintiff may have additional time to substitute Mr. van Andel's estate for Mr. van Andel in this action;

WHEREAS, Plaintiff intends to substitute the estate as a party once it is determined under which country's law the estate will be administered; and

WHEREAS, the parties continue to engage in settlement discussions in an effort to resolve this action and, as a result, have agreed that Defendants may have additional time to respond to the complaint;

NOW, THEREFORE, Plaintiff and Defendants hereby stipulate and agree, subject to the approval of the Court, as follows:

1. Defendants shall have until October 5, 2007 to respond to the complaint filed in the above-captioned action; and
2. Plaintiff shall have until October 5, 2007 to file a motion to substitute the proper party for the late Mr. van Andel.

/s/ Matthew F. Davis

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*Attorneys for the late Hendrikus Harold  
van Andel, Lithium Technology Corp., and  
Arch Hill N.V.*

SO ORDERED this \_\_\_\_ day of September, 2007

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Magistrate Judge Mary Pat Thyng